

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Mark R. Vandlik et al.)
Serial No.: 10/765,498)
Filed: 01/26/2004)
Examiner: Leslie R. Deak)
Art Unit: 3761)
For: Blood Processing Systems and Methods)
That Employ An In-Line, Flexible Leukofilter)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. § 1.97, the Examiner's attention is directed to the documents listed on the attached forms, which documents may be material to the examination of this application.

In particular, this Supplemental Information Disclosure Statement is being submitted to further address two Japanese-language references that have come to Applicants attention. Each of the references being cited herein has been previously submitted to the Office. However, for the sake of completeness, Applicants are re-submitting a copy of each Japanese-language reference, an English-language

translation of the abstract and an English-language machine translation of the entirety of each reference. Applicants note that automated machine translations may not always be reliable. However, Applicants recently obtained such machine translations, and they are being submitted to the Office out of an abundance of caution.

No inference should be drawn that any disclosure is equivalent to the subject invention. Also, the citation of the above-discussed documents is not to be construed as an assertion that more pertinent art could not possibly be in existence. Citation of any document herein is not to be construed as an admission that any subject matter disclosed in the document is necessarily within the inventive field of endeavor, that any disclosure is necessarily prior in time to a particular date which may be relevant to the instant patent application, and/or that any disclosure is otherwise necessarily prior art with respect to the instant invention.

The right is also reserved to later set forth how the instant invention is distinguished over the disclosure of any document or other art, including the disclosure of those documents discussed herein, that may be cited by the Examiner in rejecting a claim in the present patent application.

☒ 1. This information disclosure statement is being filed within the following time period(s) set forth in 37 CFR § 1.97(b), and therefore no fee is believed to be due:

- ☐ Within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d);
- ☐ Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application;
- ☐ Before the mailing of first Office action on the merits; or

☒ Before the mailing of first Office action after the filing of a request for continued examination under § 1.114.

☐ 2. As set forth in 37 CFR § 1.97(c), this information disclosure statement is being filed after the time period set forth in 37 CFR § 1.97(b) (see above) but before the mailing date of any of a final action under 37 CFR § 1.113, a notice of allowance under 37 CFR § 1.311 or an action that otherwise closes prosecution in the application. [Select either one of the statements OR the fee below, as appropriate]

☐ It is hereby stated and certified with respect to this information disclosure statement:

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

☐ Enclosed is the fee set forth in 37 CFR § 1.17(p) or in the event no fee is enclosed, this is a request and authorization to charge the appropriate fee to Deposit Account No. 50-1039.

☐ 3. As set forth in 37 CFR § 1.97(d) this information disclosure statement is being filed after the period specified in 37 CFR § 1.97(c) (see above) and on or before payment of the issue fee. It is hereby stated and certified with respect to this information disclosure statement:

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the

knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

Also enclosed is the fee set forth in 37 CFR § 1.17(p) or in the event no fee is enclosed, this is a request and authorization to charge the appropriate fee to Deposit Account No. 50-1039.

In summary, it is respectfully requested that this Information Disclosure Statement be considered and made of record, and that any fee required for consideration, if not authorized above, be charged to deposit account no. 50-1039.

Respectfully submitted,

Date: Oct 24, 2008 By: Gary W. McFarron
Gary W. McFarron
Registration No. 27,357
COOK ALEX LTD.
200 West Adams Street – Suite 2850
Chicago, IL 60606
Phone: (312)236-8500
Fax: (312)236-8176